

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Lance Gerald Milliman,

Plaintiff,

vs.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

County of Stearns, Lowell Rushmeyer,
Connie Bauman, Dennis Heinen, City
of Kimball, Cindy Stelten, Shelly Olson,
Andrew Maus, Dan Konz, John Clement,
Ron Daniels, Wayne Mackereth, Michael
Olk, Todd Rohloff, Dianne Robinson,
Tamarack Court, Inc., Dale Wagner, Gary
Plamann, Dahrla Plamann, Shadduck,
Young & Brown; Sheldon Brown; Iverson
Reuvers, Jason Hiveley, Neils, Franz &
Chirhart, Neil Franz, Meagher & Geer,
Steven Eggimann, Debra Weiss, Erica
Gutmann Strohl, Edward Toussaint,
Christopher Dietzen, Paul Hoffman, and
Bernard Boland,

Defendants.

Civ. No. 05-2993 (JRT/RLE)

Lance Gerald Milliman, 60009 373rd St., Eden Valley, MN 55329, plaintiff
pro-se.

Jason M. Hill & Roger L. Rowlette, **JOHNSON & LINDBERG, PA**, 700
International Dr., Suite 960, Minneapolis, MN 55425-1582, for defendants
County of Stearns, Lowell Rushmeyer, Connie Bauman and Dennis
Heinen.

Jason M. Hiveley, **IVERSON, REUVERS, LLC**, 9321 Ensign Ave. S,
Bloomington, MN 55438, for Defendants City of Kimball, Cindy Stelten,
Shelly Olson, Andrew Maus, Dan Konz, John Clement, Ron Daniels,
Wayne Mackereth, Michael Olk, Todd Rohloff, Dianne Robinson, Iverson
Reuvers and Jason Hiveley.

Patrick M. O'Donnell, **SMITH, PAULSON, O'DONNELL & ASSOCIATES**, P.O. Box 668, Monticello, MN 55362-0668, for defendant Tamarack Court, Inc., Dale Wagner.

Barbara A. Burke, **COUSINEAU MCGUIRE CHARTERED**, 1550 Utica Ave. S, Suite 600, Minneapolis, MN 55416-5318, for defendants Shadduck, Young & Brown and Sheldon Brown.

Keith J. Broady, **LOMMEN, ABDO, COLE, KING & STAGEBERG, PA**, 80 S. 8th St., Suite 2000, Minneapolis, MN 55402, for defendants Neils, Franz & Chirhart and Neil Franz.

Gary W. Hoch, J. Richard Bland and Erica Gutmann Strohl, **MEAGHER & GEER, PLLP**, 33 S. 6th St., Suite 4200, Minneapolis, MN 55402, for defendants Meagher & Geer, Steven Eggimann, Debra Weiss, Erica Gutmann Strohl, Edward Toussaint, Christopher Dietzen, Paul Hoffman and Bernard Boland.

Based upon the Report and Recommendation of United States Chief Magistrate Judge Raymond L. Erickson, and after an independent review of the files and records in this case, and on the fact that no objections have been filed to that Report and Recommendation in the time period permitted, **IT IS HEREBY ORDERED** that:

1. That the Motion of the Judicial Defendants to Dismiss [Docket No. 6] is granted.
2. That the Motion of the Brown Defendants to Dismiss [Docket No. 23] is granted.
3. That the Motion of the City Defendants, Iverson Reuvers and Jason Hiveley to Dismiss [Docket No. 34] is granted.
4. That the Motion of the County Defendants to Dismiss [Docket No. 30] is granted.

5. That the Motion of the Meagher Defendants to Dismiss [Docket No. 11] is granted.

DATED: September 7, 2006
At Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge